REMARKS

Claims 1-38 were pending in the above-identified patent application when last examined and remain in the form previously considered. In the Office Action dated December 24, 2008, claims 1-4, 11-18, 25-28, 30, 31, and 35-38 were rejected, and claims 5-10, 19-24, 29, and 32-34 were objected to as being dependent upon a rejected claim. Applicants request reconsideration and allowance of the application for the following reasons.

Claims 1-4, 11-18, 25-28, 30, 31, and 35-38 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Pat. App. Pub. No. 2002/0013772 (Peinado) in view of U.S. Pat. App. Pub. No. 2003/0196099 (Lampson). Applicants respectfully traverse the rejection.

Independent claim 1 distinguishes over the combination of Peinado and Lampson at least by reciting, "a first computing entity for encrypting a first data set, the first computing entity encrypting the first data set based on encryption parameters that comprise: public data of a trusted party, and an encryption key string comprising a second data set that defines a policy for allowing the output of the first data set onto a said removable storage medium." The combination of Peinado and Lampson fail to suggest encryption based on an encryption key string including a data set that defines a policy for allowing output.

Peinado discloses a process that restricts rendering of content to users that have obtained licenses. For Peinado's process, the content is encrypted and can be decrypted using a decryption key KD that is provided to a user in an encrypted form when the user obtains a license 16. For example, Peinado in paragraph [0044] states, "decryption key (KD) is delivered to a user's computing device 14 in a hidden form as part of a license 16 for ... digital content 12." Peinado teaches encrypting (and decrypting) the content 12 based on key KD. However, while key KD may be included with a license 16, the license conditions are not encryption parameters. Again in paragraph [0044], Peinado states, "license data regarding the types of licenses 16 to be issued for the digital content 12 and the terms and conditions for each type of license 16 may be stored in the content-key database 20." Accordingly, Peinado discloses different license types but does not suggest any dependence of key KD on the types of license terms and conditions that may be available for particular content. To the contrary, Peinado describes that encrypted content 12 may be widely distributed, implying that users that obtain different types of licenses still use the same content 12 and decryption key KD to access that content. (See paragraph [0030] of Peinado.) Peinado relies on a black box (e.g.,

PATENT LAW OFFICE OF
DAVID MILLERS
1221 SUN RIDGE ROAD
PLACERVILLE, CA 95667
PH: (530) 621-4545
FX: (530) 621-4543

black box server 26 of Fig. 1) or DRM systems (e.g., systems 32 and 32p of Fig. 13) to enforce particular license restrictions, but the encryption of the content does not use parameters including license conditions. More specifically, Peinado does not disclose "encryption parameters that comprise: ... an encryption key string comprising a second data set that defines a policy for allowing the output of the first data set onto a said removable storage medium" as recited in claim 1.

In accordance with an aspect of Applicants' invention, Identity Based Encryption (IBE) can use an encryption key string that defines a policy for allow output, so that the encryption/decryption depends upon the required policy. Accordingly, decryption and output are inherently related to the output policy, and determining the appropriate policy does not require use of a secondary encryption scheme for security, as does the process of Peinado.

Lampson is cited for disclosing encryption/decryption processes that use distinct encryption and decryption keys. Otherwise, Lampson like Peinado discloses encrypting the conditions required for allowing decryption of desired content. (See, for example, the abstract of Lampson.) Accordingly, the combination of Peinado and Lampson does not suggest "encryption parameters that comprise: ... an encryption key string comprising a second data set that defines a policy for allowing the output" as recited in claim 1. Claim 1 is thus patentable over the combination of Lampson and Peinado.

Claims 1-4 and 11-14 depend from claim 1 and are patentable over Peinado and Lampson for at least the same reasons that claim 1 is patentable over Peinado and Lampson.

Independent claim 15 distinguishes over the combination of Peinado and Lampson at least by reciting, "encrypting a first data set, said encrypting being based on encryption parameters that comprise: i. public data of a trusted party, and ii. an encryption key string comprising a second data set that defines a policy for allowing the output of the first data set to a removable storage medium." For the reasons given above in regard to claim 1, the combination of Peinado and Lampson does not suggest "encryption parameters that comprise: ... an encryption key string ... that defines a policy for allowing the output." Accordingly, claim 15 and claims 16-18 and 25-27, which depend from claim 15, are patentable over Peinado and Lampson.

Independent claim 28 similarly distinguishes over the combination of Peinado and Lampson at least by reciting, "encrypting the first data set based on encryption parameters that comprise: i. public data of a trusted party, and ii. an encryption key string comprising a second data set that defines a policy for allowing the printing of the first data set."

PATENT LAW OFFICE OF
DAVID MILLERS
1221 SUN RIDGE ROAD
PLACERVILLE, CA 95667

PH: (530) 621-4545
FX: (530) 621-4543

-12-   Serial No. 10/664,069

Accordingly, claim 28 and claims 30, 31, and 35-38, which depend from claim 28, are patentable over Peinado and Lampson.

For the above reasons, Applicants request reconsideration and withdrawal of the rejection under 35 U.S.C. § 103.

Claims 5-10, 19-24, 29, and 32-34 were objected to as dependent upon a rejected claim but were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 5-10, 19-24, 29, and 32-34 remain in dependent form. However, Applicants request reconsideration and withdrawal of the objection to claims 5-10, 19-24, 29, and 32-34 because their respective base claims are believed allowable for the reasons given above.

The Examiner is invited to telephone the undersigned attorney at (530) 621-4545 if there are any questions concerning the application or this document.

Respectfully submitted,

/David Millers 37396/

David Millers
Reg. No. 37,396

PATENT LAW OFFICE OF
DAVID MILLERS
1221 SUN RIDGE ROAD
PLACERVILLE, CA 95667
PH: (530) 621-4545
FX: (530) 621-4543